

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

DAVID IVEY,

Petitioner,

vs.

ASHLEY SACRISTE,

Respondent.

8:19CV153

MEMORANDUM AND ORDER

Before the court is Petitioner's Motion for Leave to Appeal In Forma Pauperis. ([Filing 44](#).) Petitioner is currently confined at the Lincoln Regional Center ("LRC"). Petitioner states that he is not currently receiving any employment income, but he did receive a "covid stimulus check for \$1200 in April" ([Id. at CM/ECF p. 1](#).) Petitioner states that he has approximately \$10,000 in cash or in a checking or savings account, and he filed a copy of his "Trust Fund Statement" from the LRC which confirms an account balance of \$10,060.54 as of September 30, 2020. ([Filing 45](#).) He describes an outstanding student loan debt of approximately \$20,000 but does not otherwise specify any regular monthly expenses that would prohibit him from paying the relatively modest filing fee associated with filing an appeal in federal court. Therefore,

IT IS ORDERED that:

1. Petitioner's Motion for Leave to Appeal In Forma Pauperis ([filing 44](#)) is denied.
2. Petitioner shall pay the \$505.00 appellate filing fee within 30 days of the date of this order.

3. The clerk of the court is directed to set a pro se case management deadline in this matter with the following text: **January 4, 2021**: deadline for Petitioner to pay \$505.00 appellate filing fee.

Dated this 4th day of December, 2020.

BY THE COURT:



Richard G. Kopf
Senior United States District Judge